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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA, Plaintiff,	)	Magistrate Case No. '08 MJ 1309
v.	)	COMPLAINT FOR VIOLATION OF:
Alonso PERREA-Osuna, Defendant(s)	)	Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii) Transportation of Illegal Aliens

The undersigned complainant, being duly sworn, states:

On or about **April 26, 2008,** within the Southern District of California, defendant **Alonso PERREA-Osuna** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Dagoberto CASAS-Salinas, Flor CALDERON-Arita,** and **Mavina De Jesus CALDERON-Arita,** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **28th** DAY OF **APRIL 2008.**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Alonso PERREA-Osuna

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

Furthermore, the complainant states that **Dagoberto CASAS-Salinas, Flor CALDERON-Arita, and Mavina De Jesus CALDERON-Arita** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On April 26, 2008, Border Patrol Agent K. Legg was assigned Roving Patrol duties in a marked Border Patrol sedan on the I-15 corridor. At approximately 1:20 a.m., Agent Legg noticed a white extended cab Chevrolet pick-up traveling northbound. As the vehicle passed Agent Legg's position, the passenger, made no attempt to look in the direction of the fully marked sedan that Agent Legg was occupying. This behavior is inconsistent with the behavior of the average motoring public, as a majority of passing vehicles take notice to fully marked sedans. Agent Legg elected to follow this vehicle in order to get a closer look at the occupants and their behavior. Upon positioning the car in the lane of traffic next to the truck, Agent Legg noticed that the driver, later identified as the defendant **Alonso PERREA-Osuna**, also refused to look in the direction of the sedan. The defendant was maneuvering the vehicle in an erratic manner and made erratic lane changes. Agent Legg also noticed that the suspension on the truck seemed to be very rigid. Agent Legg decided to initiate a vehicle stop on the Chevy pick-up in order to perform an immigration inspection on the occupants of the vehicle. Agent Legg approached the vehicle and noticed that in the bed of the pick-up there was a small black tarp which appeared to be concealing something that had the shape of numerous bodies. Border Patrol Agents B. Metz and D. Estoesta arrived on scene.

Agent Legg then identified himself as a United States Border Patrol Agent to the occupants of the vehicle. Agent Legg then asked the occupants of the vehicle to state their citizenship. As Agent Legg was performing his immigration inspection, he noticed that there were five more occupants of the vehicle crouched down behind the driver and passenger's seats, Agent Legg also noticed that one more female was laying in the floorboard of the passenger side of the vehicle. All persons occupying the cab of the truck, except for the defendant, freely admitted to being citizens and nationals of Mexico illegally present in the United States. It was later determined that two females, were actually citizens of El Salvador. After removing the tarp, Agent Estoesta identified himself as a United States Border Patrol Agent to the three occupants of the vehicle that were concealed under the tarp in the bed of the truck and proceeded to perform an immigration inspection on these three individuals. All three individuals admitted to being citizens and nationals of Mexico illegally present in the United States. All eleven occupants were taken into custody and were transported to the Murrieta Border Patrol Station for further processing.

CONTINUATION OF COMPLAINT:
Alonso PERREA-Osuna

DEFENDANT STATEMENT:

The defendant was advised of his Miranda rights and was willing to answer questions without an attorney present. The defendant stated that he was instructed to pick up the load and transport them to Los Angeles, California. The defendant stated that he would receive a call at a later time with instructions and location for drop off once he arrived in Los Angeles, and that he was to receive $500.00 dollars to smuggle all ten people. The defendant stated that he knew that all individuals were illegally present in the United States and that they were citizens of Mexico.

MATERIAL WITNESSES STATEMENTS:

Material witness **Dagoberto CASAS-Salinas,** agrees in summary that he is a citizen and national of Mexico illegally present in the United States. **Flor CALDERON-Arita,** and **Mavina De Jesus CALDERON-Arita** agree in summary that they are citizens and nationals of El Salvador illegally present in the United States. They admit to entering the United States illegally. The material witnesses stated that they were to pay $2,000.00 to $3,000.00 (US) to be smuggled into the United States. The material witnesses were shown a photographic line up and were able to identify the defendant **Alonso PERREA-Osuna** as the driver of the vehicle.

Executed on April 27, 2008, at 9:00 am.

Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of **2** page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **04/26/2008,** in violation of Title **8**, United States Code, Section **1324**.

Nita L. Stormes
United States Magistrate Judge

4-27-08 @ 11:45AM
Date/Time